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NOTES OF CASES.

The Crippen Case—Criminal Law—Trial for Murder—Illness of Juryman—Temporary Absence of Juror from Court—Custody of Jury—Rebutting Evidence for Prosecution—Admissibility.—The King *v.* Crippen (1911) 1 K. B. 149. This notorious case has furnished a legal precedent on two somewhat important points: (1) on the second day of the trial a juryman was taken ill and was taken out of court, but not out of the building, accompanied by two doctors and an usher to a part of the building to which the public had no access. After a consultation one of the doctors reported to the court when the juryman was likely to recover, and the court adjourned for a short time and the doctor was sworn to take care of the juror during the adjournment. He then returned to the juror and he and the other doctor, and the usher remained with him in the open air in rear of the courthouse enclosure for three-quarters of an hour, the usher having been with him the whole time he was absent from the rest of the jury. The usher had been sworn on the first day of the trial to take charge of the jury, but he was not sworn to take charge of the sick juror. During the whole time of the latter's absence no one spoke to him about the trial. The doctors spoke to him but no others. On the way to the open air less than a dozen persons had to be passed, but the juror was in a state of collapse and not able to communicate with anyone. The Court of Criminal Appeal (Darling, Channell, and Pickford, JJ.) held that these facts furnished no ground for quashing the conviction. (2) It was also urged on the prisoner's behalf that rebutting evidence admitted on behalf of the prosecution after the close of the defence was inadmissible; but the Court of Appeal held that was a matter of judicial discretion and that the exercise of such discretion would not be interfered with unless it was exercised in a way which obviously resulted in some injustice to the accused.—Canada Law Journal.

Conviction as Evidence in Civil Proceedings.—In *In re Cunigunda (alias Cora) Crippen*, on February 13, Sir Samuel Evans gave a considered decision on the claim of Ethel Le Neve, as executrix of Dr. Crippen, to be appointed administratrix of the doctor's wife. After deciding that under section 73 of the Court of Probate Act, 1857, the Court had, and should exercise, a discretion under the special circumstances to refuse the grant to Miss Le Neve, the learned Judge dealt fully with the question raised whether the conviction of Dr. Crippen for the murder of his wife was admissible in evidence in the probate proceedings. This question was certainly material on the point whether persons claiming under the husband could take any interest in the estate of the wife of whose murder he